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Paper No. 7

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In re Application of  
Eskridge  
Application No. 10/065,001  
Filed: September 9, 2002  
Attorney Docket No. 202704232002

**OFFICE OF PETITIONS**

Decision on Petition

This a decision on the petition under 37 CFR 1.137(b), filed June 4, 2004, to revive the above-identified application.<sup>1</sup>

The petition is **dismissed**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed October 16, 2003, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on November 17, 2003. A Notice of Abandonment was mailed on April 20, 2004.

The instant petition requests revival of the application.

However, petitioner has failed to submit the \$665 petition fee. At the time the Office attempted to charge the fee to petitioner's deposit account, the account balance was only \$4.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. No further petition fee is required for the request. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)."

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
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By facsimile: (703) 872-9306  
Attn: Office of Petitions

If a request for reconsideration is filed, and a decision on the new petition is not received within three months, petitioner may wish to call the number below to check on the status of the renewed petition.

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<sup>1</sup> The original petition cannot be located in the file of application no. 10/065,001. Therefore, this decision is based on the copy of the petition supplied on May 10, 2005.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

A handwritten signature in black ink, appearing to read 'C. Brantley', is positioned above the printed name.

Charles Steven Brantley  
Petitions Attorney  
Office of Petitions